

MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: TISSUE-ENGINEERED BIOGRAFTS FOR REPAIR OF DAMAGED MYOCARDIUM

The specification of which

- a. ☒ is attached hereto  
 b. ☒ was filed on September 1, 2000 as application serial no. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. \_\_\_\_\_ filed \_\_\_\_\_ and as amended on \_\_\_\_\_ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
 b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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Reg. No. 40,481  
 Reg. No. 46,359  
 Reg. No. 28,828  
 Reg. No. 32,960  
 Reg. No. 27,612  
 Reg. No. 43,496  
 Reg. No. 41,622  
 Reg. No. 41,633  
 Reg. No. 40,528  
 Reg. No. 34,130  
 Reg. No. 32,404  
 Reg. No. P-46,597  
 Reg. No. 25,959  
 Reg. No. 33,227  
 Reg. No. 39,634  
 Reg. No. 30,247  
 Reg. No. 25,968  
 Reg. No. 34,994  
 Reg. No. 40,579  
 Reg. No. 36,414  
 Reg. No. 42,157  
 Reg. No. 28,707  
 Reg. No. 20,187  
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 Reg. No. 40,620  
 Reg. No. 44,125  
 Reg. No. 26,896  
 Reg. No. 38,472  
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 Reg. No. 41,804  
 Reg. No. 33,112  
 Reg. No. P-46,754  
 Reg. No. 29,165  
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 Reg. No. 42,668  
 Reg. No. 39,721  
 Reg. No. 34,196  
 Reg. No. 34,049  
 Reg. No. 37,160  
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 Reg. No. 42,724  
 Reg. No. 21,197  
 Reg. No. 31,535  
 Reg. No. 36,848

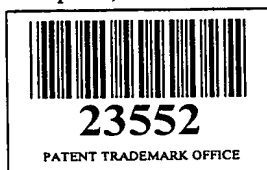
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Reg. No. 38,946  
 Reg. No. 40,443  
 Reg. No. P-46,869  
 Reg. No. 40,066  
 Reg. No. 40,701  
 Reg. No. 38,540  
 Reg. No. 46,084  
 Reg. No. 32,044  
 Reg. No. 44,921  
 Reg. No. 30,300  
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 Reg. No. 37,206  
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 Reg. No. 37,703  
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 Reg. No. 45,124  
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 Reg. No. 32,314  
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 Reg. No. 42,222  
 Reg. No. 41,376  
 Reg. No. 27,054  
 Reg. No. 41,980  
 Reg. No. 43,361  
 Reg. No. 39,536  
 Reg. No. 45,255

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.  
 P.O. Box 2903  
 Minneapolis, MN 55402-0903



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name COHEN	First Given Name Smadar	Second Given Name
0	Residence & Citizenship	City Beer Sheva	State or Foreign Country ISRAEL	Country of Citizenship ISRAEL
1	Post Office Address	Post Office Address 6 Bentoiz Street, Ramot, 84836	City Beer Sheva	State & Zip Code/Country 84836/ISRAEL
Signature of Inventor 201: <i>Smadar Cohen</i>			Date: <i>6/11/2000</i>	
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0	Residence & Citizenship	City Rehovot	State or Foreign Country ISRAEL	Country of Citizenship ISRAEL
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Signature of Inventor 202: <i>Ayelet Dar</i>			Date: <i>17/11/2000</i>	
2	Full Name Of Inventor	Family Name ETZION	First Given Name Sharon	Second Given Name
0	Residence & Citizenship	City Beer Sheva	State or Foreign Country ISRAEL	Country of Citizenship ISRAEL
3	Post Office Address	Post Office Address 80 Winget Street, 84428	City Beer Sheva	State & Zip Code/Country 84428/ISRAEL
Signature of Inventor 203:			Date:	
2	Full Name Of Inventor	Family Name PERETS	First Given Name Anat	Second Given Name
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Signature of Inventor 204: <i>Anat Perets</i>			Date: <i>13/11/2000</i>	
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Signature of Inventor 205: <i>Sigalit Shaprut</i>			Date: <i>14/11/2000</i>	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issued thereon.


2	Full Name Of Inventor	Family Name COHEN	First Given Name Smadar	Second Given Name
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Signature of Inventor 201: <i>Smadar Cohen</i>			Date: <i>6/11/2000</i>	

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Signature of Inventor 202:			Date:	

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Signature of Inventor 203: <i>ABOUAFIA ETZION SHARON</i>			Date: <i>6/11/00</i>	

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Signature of Inventor 204:			Date:	

2	Full Name Of Inventor	Family Name SHAPRUT	First Given Name Sigalit	Second Given Name
0	Residence & Citizenship	City Beer Sheva	State or Foreign Country ISRAEL	Country of Citizenship ISRAEL
5	Post Office Address	Post Office Address 11/6 Prof. Haim Gevariahu Street, Ramot, 84100	City Beer Sheva	State & Zip Code/Country 84100/ISRAEL
Signature of Inventor 205:			Date:	

2	Full Name Of Inventor	Family Name LEOR	First Given Name Jonathan	Second Given Name
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6	Post Office Address	Post Office Address 23 Ha'Amakim Street, 55900	City Gane' Tikva	State & Zip Code/Country 55900/ISRAEL.
Signature of Inventor 206:			Date:	
			6/11/00	



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**NONPROFIT ORGANIZATION**

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. 1.9(e) AND 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Ben-Gurion University of the Negev  
ADDRESS OF ORGANIZATION: One Hashalom Street  
84419 Beer Sheva  
ISRAEL

TYPE OF ORGANIZATION:

CHECK ONEa) ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

b) ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3))

c) ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA -- (NAME OF STATE \_\_\_\_\_)

(CITATION OF STATUTE \_\_\_\_\_)

d) ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA

e) ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA -- (NAME OF STATE \_\_\_\_\_)

(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in regard to the invention, entitled TISSUE-ENGINEERED BIOGRAFTS FOR REPAIR OF DAMAGED MYOCARDIUM by inventor(s) COHEN, Smadar; DAR, Ayelet; ETZION, Sharon; PERETS, Anat; SHAPRUT, Sigalit; LEOR, Jonathan described in

a) ☐ the specification filed herewith.

b) ☐ provisional application serial no. \_\_\_\_\_, filed \_\_\_\_\_.

c) ☒ non-provisional application serial no. \_\_\_\_\_, filed September 1, 2000.

d) ☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)INSERT CO-OWNERS, IF ANY

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

a) ☐ INDIVIDUAL

b) ☐ SMALL BUSINESS CONCERN

c) ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

a) ☐ INDIVIDUAL

b) ☐ SMALL BUSINESS CONCERN

c) ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereof, or any patent to which this verified statement is directed.

NAME: Janis Rosenwaks  
TITLE: VP and Dean for R&D  
ADDRESS: Ben-Gurion University of the Negev  
One Hashalom Street  
84419 Beer Sheva  
ISRAEL

SIGNATURE: S. Rosenwaks  
DATE: 8.11.2000

